

The City Attorney
City of San Diego
MEMORANDUM
236-6220

DATE: March 14, 1988

TO: Gordon Murdoch, Building Official, and Steve
Mikelman, Housing Commission
FROM: City Attorney
SUBJECT: SRO Ordinance Threshold Provisions
Your memorandum of March 1, 1988, asked our opinion concerning
the application of Municipal Code Section 101.1910 of the SRO
Ordinance which provides:

The City's Building Inspection Department shall be
authorized to issue permit(s) for the demolition or
conversion of residential and/or transient hotel rooms
without a replacement requirement until the most recent
SRO Hotel Room Supply, as defined by Section
101.1907.B., decreases to an amount equal to or below
the threshold, as defined in Section 101.1907.A. The
Building Inspection Department shall issue no permits
pursuant to this Section until the threshold and the SRO
Hotel Room Supply have been established.

It has been suggested that this provision allows removal of all
SRO hotels. I disagree with this suggestion since such an
interpretation renders the entire ordinance meaningless.
Demolition permits may be issued without satisfying the
replacement requirement only when the SRO Hotel Room Supply
("Supply") exceeds the threshold inventory. If the Supply is
below the threshold, replacement is required for all rooms being
demolished. If a particular demolition permit will result in
reducing the Supply below the threshold, sufficient replacement
rooms must be provided to restore the Supply to the threshold
level.

If there are any questions concerning this provision of the
ordinance, please contact me.

JOHN W. WITT, City Attorney
By
Frederick C. Conrad
Chief Deputy City Attorney

FCC:fs:600
MS-88-2